



## Legislation Details (With Text)

|                      |   |                      |                                 |              |                  |
|----------------------|---|----------------------|---------------------------------|--------------|------------------|
| <b>File #:</b>       | PO-2018-22  | <b>Version:</b>      | 3                               | <b>Name:</b> | Sign Regulations |
| <b>Type:</b>         | Ordinance   | <b>Status:</b>       | Passed                          |              |                  |
| <b>File created:</b> | 10/31/2018  | <b>In control:</b>   | Regular City Commission Meeting |              |                  |
| <b>On agenda:</b>    | 3/20/2019   | <b>Final action:</b> | 3/20/2019                       |              |                  |
| <b>Title:</b>        | An Ordinance Of The City Of Hollywood, Florida, Amending The Zoning And Land Development Regulations By Amending Article 2 Entitled "Definitions" And By Repealing And Replacing Article 8 Entitled "Sign Regulations;" And Providing For Severability, Inclusion In The Code, And For Conflicts. (18-T-02) |                      |                                 |              |                  |

### Sponsors:

### Indexes:

### Code sections:

**Attachments:** 1. 1802\_Ordinance\_2019\_0116.pdf, 2. Attachment I.pdf, 3. Attachement II.pdf, 4. Attachement III.pdf

| Date      | Ver. | Action By                       | Action                            | Result |
|-----------|------|---------------------------------|-----------------------------------|--------|
| 3/20/2019 | 3    | Regular City Commission Meeting | adopt on second and final reading | Pass   |
| 1/16/2019 | 2    | Regular City Commission Meeting | adopt on first reading            | Pass   |
| 11/7/2018 | 1    | Regular City Commission Meeting | continue                          | Pass   |

An Ordinance Of The City Of Hollywood, Florida, Amending The Zoning And Land Development Regulations By Amending Article 2 Entitled "Definitions" And By Repealing And Replacing Article 8 Entitled "Sign Regulations;" And Providing For Severability, Inclusion In The Code, And For Conflicts. (18-T-02)

Staff Recommends: Approval of the Attached Ordinance.

### Explanation:

The need for a text amendment to the sign regulations was triggered by a recent U.S. Supreme Court case, Reed v. Town of Gilbert; which strengthened the constitutional limitations on the City's ability to regulate signs. A key component of complying with this case is to ensure that the regulations are content neutral. For more background on the case, refer to Attachment A, Consultant Memo. The need for this text amendment provided Staff the opportunity to also incorporate several policy and organizational changes, as outlined below.

The text amendment proposes to amend Article 8 of the Zoning and Land Development

Regulations, titled Signs, to ensure the content-neutrality of sign regulations, compliant with Reed v. Town of Gilbert; Article 2 will also be revised to update and modify the definitions applicable to Article 8. Finally, the text amendment; additionally incorporates several policy and organizational changes which have been considered or anticipated by the City for some time. Attachment A, Consultant Memo details the specifics regarding the Supreme Court case and outlines the limitations that influenced the crafting of the proposed content-neutral regulations. These are designed to meet the legal requirements, but to otherwise be policy neutral.

The purpose of the Staff's proposed policy and organizational changes is to:

- Emphasize the importance of aesthetics in sign design, placement, and maintenance:
  - Require that all signs be professionally produced;
  - Require that all signs be maintained in good condition and appearance; and
  - Establish the total number of signs permitted per establishment by considering the global composition of signs within a site.
- Define and establish regulations for new sign types and media to further encourage creativity in sign design and composition; and to accommodate industry trends and changes in technologies:
  - Allow for the combination of multiple sign types (e.g. wall signs and projecting signs may be combined to create a more dynamic composition);
  - Allow for the permitted sign area to be divided and distributed to allow for multiple signs (not increasing the allowable area);
  - Create a distinction between awning, canopy, and projecting signs to allow for three-dimensional canopy signs; and allow the use of independent projecting signs;
  - Allow for signs to be conceived and constructed as an integral part of the architectural design of the building; and
  - Allow for Pole Banners for New Automotive Sale uses.
- Allow for increased flexibility in the location, configuration, and application of signs:
  - Allow for additional free standing signs for outparcels;
  - Allow for additional signage to be placed on facades which do not have street frontage, but are visible from the right-of-way;
  - Allow for Directory Signs for multi-tenant buildings to be located in more prominent and visible locations;
  - Allows for Post and Panel Signs (currently limited to the Light Intensity Office

- District) to be used in small lots within commercial and multiple family districts;
- Allow for flexibility in the application of window signage;
- Allow for greater flexibility in sign types for multi-family districts;
- Allow for larger parapet signs for high rise buildings; and
- Establish sign types and regulations for Temporary Signs with an Active Building Permit.

The majority of the proposed changes in the number and configuration of signs are prompted by the desire to codify standards resulting from frequent and recurring variance approvals; by both, the Board and the City Commission. Thus, voiding the need for these variances.

Further, organizational and formatting changes, such as the combination of sections and the grouping of like concepts, were done to provide further clarity and ease of use. The text amendment also proposes to eliminate redundant regulations and unnecessary definitions. The sign permit procedure was overhauled to more clearly separate the sign permit review from the building permit review, and to assure that the sign permit review process meets constitutional standards.

Recommended for inclusion on the agenda by:

Dr. Wazir Ishmael, City Manager

Gus Zambrano, Assistant City Manager/Sustainable Development

Shiv Newaldass, Director, Development Services

Leslie A. Del Monte, Planning Manager